

Message

From: Niess, Claudia [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=740CBE18BC564FC690871D433F58C894-CNIESS]
Sent: 4/8/2020 5:12:57 PM
To: Ajayi, Olafimihan [Olafimihan.Ajayi@illinois.gov]; Moss, Suzanne [suzanne.moss@illinois.gov]
Subject: RE: Sample Results: Meijer IDPH Case Number 7-19-205-05

Hi Ola:

I understand the stock survey to be an IDPH form which is completed by the inspector. If that's correct, the stock survey would not need to be listed on the receipt for samples. Additionally, the inspector wouldn't need to list all of the pesticides observed and listed on the stock survey on the receipt for samples.

The receipt for samples should list all of the documentary and physical evidence the inspector collects during the inspection. So in addition to the physical sample (which appears to be correctly listed on the receipt), the photographs collected by the inspector should have been listed on the receipt for samples.

Hope this helps! Please let me know if you have any questions.

Thanks,

Claudia Niess
Enforcement Officer
Pesticides & Toxics Compliance Section
U.S. Environmental Protection Agency, Region 5
P: (312) 886-7598

From: Ajayi, Olafimihan <Olafimihan.Ajayi@illinois.gov>
Sent: Wednesday, April 08, 2020 11:08 AM
To: Niess, Claudia <niess.claudia@epa.gov>; Moss, Suzanne <suzanne.moss@illinois.gov>
Subject: RE: Sample Results: Meijer IDPH Case Number 7-19-205-05

Attached is a copy of inspection conducted by one of our inspectors. One sample was collected during the inspection and recorded on the Receipt for Sample (page 12) with required information such as pesticide name, manufacturer, EPA Registration Number, EPA Establishment Number and amount collected. Also included in the report is a copy of IDPH Structural Pest Control Pesticide Stock Survey (pages 7,8,9) listing all pesticides held in stock in the establishment.

If I understand this correctly, in the above attached report all the pesticides (almost 50) listed on the stock survey form should instead be listed on the Receipt for Sample (equivalent of EPA Form 3540-3) to be considered documentary samples?

Just want to make sure I understand and explain it before I pass it on to inspectors.

Thanks, Ola

From: Niess, Claudia [<mailto:niess.claudia@epa.gov>]

Sent: Wednesday, April 08, 2020 8:41 AM

To: Ajayi, Olafimihan <Olafimihan.Ajayi@illinois.gov>; Moss, Suzanne <Suzanne.Moss@illinois.gov>

Subject: [External] RE: Sample Results: Meijer IDPH Case Number 7-19-205-05

Hi Ola:

Thank you!

During the inspection at Meijer, the inspector collected a document called the "Store Invoice Report" from the establishment in addition to collecting the physical sample for formulation analysis. This record appears to show the inventory of pesticides held at Meijer for distribution on a specific date. Any sort of document collected from a facility collected to document a pesticide, its formulation, composition, distribution, production, etc. would be considered documentary evidence or sample. Chapters 6 and 9 of the [FIFRA Inspection Manual](#) provide some additional information on documentary samples, including types of records which can or should be collected as samples.

I've attached an example of a receipt for samples which describes both documentary and physical samples. The first four samples on page 1 of the attachment are all physical samples for formulation analysis. The remaining samples listed are all documentary samples. I realize the example attached is lengthy, unfortunately it's the best example I have electronically right now.

Please let me know if you have any additional questions or if I can provide any additional information.

Claudia Niess
Enforcement Officer
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P: (312) 886-7598

From: Ajayi, Olafimihan <Olafimihan.Ajayi@illinois.gov>

Sent: Tuesday, April 07, 2020 4:51 PM

To: Niess, Claudia <niess.claudia@epa.gov>; Moss, Suzanne <suzanne.moss@illinois.gov>

Subject: RE: Sample Results: Meijer IDPH Case Number 7-19-205-05

Hi Claudia,

Trying to keep well. Thanks for asking.

Please see attached as received from IDA. Hope it's what you are asking for.

Can you please explain further what documentary sample is as opposed to physical sample on the receipt for samples so I can explain to the inspector? I will appreciate if you have an example of the receipt showing both samples.

Thanks, Ola

From: Niess, Claudia [<mailto:niess.claudia@epa.gov>]

Sent: Tuesday, April 07, 2020 4:18 PM

To: Moss, Suzanne <Suzanne.Moss@Illinois.gov>; Ajayi, Olafimihan <Olafimihan.Ajayi@illinois.gov>

Subject: [External] Sample Results: Meijer IDPH Case Number 7-19-205-05

Hi Suzanne and Ola:

I'm reviewing the IDPH inspection at Meijer (case number 7-19-205-05) and it looks like a sample of Hot Shot Ultra Liquid Ant Bait, EPA Reg. No. 9688-242-8845 was collected and sent to IDA for analysis, but I can't locate the results in file. Can either of you send me a copy? I understand you may not have access to that information right now, so please let me know if not and I'll make a note to revisit this if needed when we're back in our respective offices.

Ola, I wanted to let you know it looks like the inspector collected a documentary sample during the inspection as well, but didn't list it on the receipt for samples. Not sure if/when inspections will start up again, but it may be worth a reminder to the inspectors that both documentary and physical samples must be recorded on the receipt for samples.

Thanks and hope you both are well!

Claudia Niess
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